

August 2, 2010

VIA ELECTRONIC FILING

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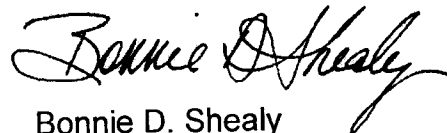
**Re: Global Connection Inc. of America – Application for Authority to
provide Interexchange Telecommunications Services
Docket No. 2010-220-C**

Dear Jocelyn:

Enclosed for filing please find a motion for expedited review of the application of Global Connection Inc. of America for a certificate of public convenience and necessity to provide interexchange telecommunications services in South Carolina and for alternative regulation. The verified testimony of Mark Ellis, President and Chief Executive Officer, of Global Connection is attached as Exhibit 2 of the motion. Global Connection was certificated to provide local exchange services in South Carolina by Commission Order Nos. 2000-580 and 2002-58. The Office of Regulatory Staff has indicated that they do not object to the motion. Please contact me if you have any questions.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.


Bonnie D. Shealy

/bds

Enclosure

cc/enc:

F. David Butler, Commission Hearing Examiner (via email & U.S. Mail)
Shealy Boland-Reibold, ORS Staff Attorney (via email & U.S. Mail)
Mr. Mark Ellis (via email)
Mr. Neil Savignano (via email)
Mr. Carey Roesel (via email)

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

Docket No. 2010-220-C

IN RE:)
)
Application of Global Connection Inc. of America)
For a Certificate of Public Convenience and Necessity)
to Provide Resold Long Distance Telecommunications)
Services and for Alternative Regulation of Long)
Distance Service Offerings)

MOTION FOR EXPEDITED REVIEW

The Applicant Global Connection Inc. of America ("Global Connection" or "Company") hereby moves pursuant to S.C. Code Ann. §58-9-280, 26 S.C. Regs. 103-829, and other applicable rules of practice and procedure of the Public Service Commission of South Carolina ("Commission") that the Commission perform an expedited review of Global Connection's Application for a Certificate of Public Convenience and Necessity to authorize the Company to provide long distance telecommunications services throughout the State of South Carolina. Order Nos. 2000-580 and 2002-58 authorized Global Connection to provide facilities-based and resold local exchange telecommunications services in South Carolina. Global Connection requests that the Commission use its discretionary authority to informally dispose of the proceeding without holding a formal hearing. In support of this motion, Global Connection would show the following:

FACTUAL BACKGROUND

1. As described in detail in the Application, Global Connection seeks the Commission's authority to operate as a reseller of long distance telecommunications services in the State of South Carolina. In addition, Global Connection requests that the Commission

regulate its long distance business service, consumer card, and operator service offerings as described below in accordance with the principles and procedures established for alternative regulation in Orders No. 95-1734 and 96-55 in Docket No. 95-661-C, and as modified by Order No. 2001-997 in Docket No. 2000-407-C.

2. Global published the notice of filing of the application as required by the Commission. The deadline for filing petitions to intervene in the proceeding was July 22, 2010, and no comments or petitions to intervene have been filed.

3. The Office of Regulatory Staff ("ORS") requested that Global Connection make certain revisions to its proposed tariff which the Company has agreed to make. A summary of the tariff revisions is attached and incorporated as **Exhibit 1**. ORS has indicated that it does not oppose the application or this motion for expedited review. No other comments or petitions to intervene have been filed.

4. Global Connection is a Georgia corporation whose principal place of business is Norcross, Georgia. The Commission approved the name change from Global Connection of South Carolina, Inc. to Global Connection Inc. of America in Order No. 2008-598. The Company has been successfully operating as a competitive local exchange carrier in South Carolina since 2000.

5. Global Connection seeks authority to provide interexchange telecommunications services in all areas of South Carolina. The Company is currently certificated to provide interexchange services and local exchange services in 30 states.

6. Global Connection's financial, technical, and managerial qualifications are more fully described in the verified testimony of Mark Ellis which is attached as **Exhibit 2**.

ARGUMENT

7. Global Connection filed its application pursuant to S.C. Code Ann. § 58-9-280 seeking a certificate of Public Convenience and Necessity to provide interexchange telecommunications services. Section 58-9-280(B) provides that "[a]fter notice and an opportunity to be heard, the Commission may grant a certificate to operate as a telephone utility.... " S.C. Code Ann. § 58-9-280(B) (Supp. 2009). Notice has been published as required by the Commission and any interested party, including Global Connection has thus had an opportunity for a hearing. Therefore, the Commission has satisfied the statutory requirements. Global Connection submits that the Commission now has the discretion under Section 58-9-280(B) to consider Global Connection's application without a full, evidentiary hearing.

8. Global Connection seeks expedited review of its application on the grounds that (1) the South Carolina Administrative Procedures Act ("APA") grants the Commission flexibility regarding hearings in contested matters, (2) due process requirements are satisfied if Global Connection waives the right to a hearing when there is no disputed material issue of fact, and (3) notice and the opportunity to present written evidence is sufficient to provide the procedural due process protection required under the APA.

9. Administrative agencies in South Carolina "are required to meet minimum standards of due process. Due process is flexible and calls for such protections as the particular situation demands." *Stono River Environmental Protection Association v. S.C. Dept. of Health and Environmental Control*, 406 S.E.2d 340, 342 (S.C. Sup. Ct. 1992); *Anonymous v. State Board of Medical Examiners*, 473 S.E.2d 870 (S.C. Ct. App. 1996) citing *Morrissey v. Brewer*, 408 U.S. 471, 481 (1972).

The APA provides that "in a contested case, all parties must be afforded an opportunity for hearing after notice not less than thirty days." S.C. Code Ann. § 1-23-320(a) (Supp. 2009).

The APA defines "contested case" as "a proceeding, including but not restricted to ratemaking, price fixing, and licensing, in which the legal rights, duties or privileges of a party are required by law to be determined by an agency after an opportunity for hearing." S.C. Code Ann. § 1-23-310(2) (Supp. 2009). The provisions of the APA ensure that procedural due process requirements are satisfied. The APA also provides some flexibility to agencies regarding hearings for contested cases. "Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default." S.C. Code Ann. § 1-23-320(f) (Supp. 2009).

Notice of the company's application was published as required by the Commission. Therefore, notice and an opportunity for a hearing have been provided as required by the APA and S.C. Code Ann. Section 58-9-280(B). The Office of Regulatory Staff does not object to the motion and no other parties have intervened.

Global Connection is currently certified to provide local exchange telecommunication services in South Carolina and has been offering local telecommunications services since it received its certificate. Therefore, the Commission is aware of the technical, managerial and financial background relied upon by Global Connection in its application. Global Connection respectfully requests that the Commission apply section 1-23-320(f) of the APA and informally dispose of the proceeding without requiring a formal hearing.

10. Holding a formal hearing "is appropriate where adjudicative facts involving the particular parties are at issue. Conversely, an agency may ordinarily dispense with hearing where there is no genuine dispute as to a material issue of fact." 2 Am. Jur.2d *Administrative Law* § 298. In addition, "the right to a hearing...may be waived." 2 Am. Jur.2d *Administrative Law* § 296.

Global Connection is requesting the hearing be waived and there are no intervenors

opposing its certification in the proceeding. Global Connection's financial, technical and managerial qualifications are outlined in the testimony of Mr. Ellis. The Commission has previously held a hearing concerning Global Connection's fitness to provide telecommunications services in the state. Therefore, there is no material issue of fact to be decided at a formal hearing.

11. Notice and the opportunity to present written evidence would satisfy due process requirements for the Global Connection application. Global Connection has presented the information required under S.C. Code § 58-9-280(B) in its application and the testimony of Mr. Ellis. Since the Office of Regulatory Staff does not object to the motion and there is no other intervention, Global Connection asserts that a full evidentiary hearing on its application is unnecessary.

WHEREFORE, Global Connection Inc. of America respectfully requests that the Commission cancel the hearing scheduled on this matter and issue Global Connection, Inc. authority to operate as a reseller of long distance telecommunications services in the State of South Carolina and for alternative regulation of its long distance business service offerings and such other relief as requested in its Application.

Dated this 2nd day of August, 2010.

ROBINSON, McFADDEN & MOORE, P.C.

By Bonnie D. Shealy
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Attorneys for Global Connection, Inc. of America

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

Docket No. 2010-220-C

IN RE:

Application of Global Connection Inc. of America)
For a Certificate of Public Convenience and Necessity)
to Provide Resold Long Distance Telecommunications)
Services and for Alternative Regulation of Long)
Distance Service Offerings)

EXHIBIT 1

**OFFICE OF REGULATORY STAFF'S
RECOMMENDATIONS FOR
INTEREXCHANGE SERVICES TARIFF REVISIONS**

C DUKES SCOTT
EXECUTIVE DIRECTOR

1441 Main Street, Suite 300
Columbia, SC 29201



DAN F. ARNETT
CHIEF OF STAFF

Phone: (803) 737-0300
Fax: (803) 737-0301

July 8, 2010

Bonnie D. Shealy, Esquire
Robinson, McFadden & Moore, P.C.
1901 Main Street, Suite 1200
P.O. Box 944
Columbia, South Carolina 29202

Re: Application of Global Connection, Inc. of America for a Certificate of Public Convenience and Necessity to Provide Interexchange Telecommunications Services in South Carolina and for Alternative Regulatory Treatment (**Docket No. 2010-220-C**)

Dear Ms. Shealy,

The South Carolina Office of Regulatory Staff has reviewed the tariff of Global Connection Inc. of America that was filed with the South Carolina Public Service Commission in Docket No. 2010-220-C. The ORS has included recommendations for the South Carolina Tariff No. 3.

The attachments include suggestions for the Global Connection tariff that will allow it to conform to the typical South Carolina Telecommunications Tariff. The attachment also includes recommendations for additions or deletions in the tariff that will aid in the speedy approval of the tariff.

Please do not hesitate to respond via e-mail or phone. And, as always, if you do have any questions, please contact me.

Sincerely,

Tom Allen
Tariff Administrator
South Carolina Office of Regulatory Staff
803-737-5229
tallen@regstaff.sc.gov

C DUKES SCOTT
EXECUTIVE DIRECTOR

1441 Main Street, Suite 300
Columbia, SC 29201



DAN F. ARNETT
CHIEF OF STAFF

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Recommendations for Global Connection Inc. of America Interexchange Tariff No. 3

Original Page 32 5.2—The Company should include a maximum rate if the service is available to residential customers.

General Recommendations

- 1) If the Company charges any installation, connection, maintenance, or termination charges, etc., these additional charges and descriptions of the charges should be listed in the tariff with their current and maximum rates.
- 2) The Company should also provide tariffs and tariff revisions to the South Carolina Public Service Commission as well as the South Carolina Office of Regulatory Staff (26 S.C. Code Regs. 103-629).
- 3) If the Company's Services involve Prepaid Calling Cards, the Company will be required to post a \$5,000 Surety Bond with the Public Service Commission.
- 4) The Company is applying for Modified Alternate Regulation by the PSC for its Interexchange Services. As a general rule, the Company should include maximum rates and current rates for any service that may impact residential Customers. Any service that impacts Business Long Distance, Consumer Cards, and Operator Services (Including Directory Assistance) are exempt from maximum rates. Only current rates would need to be filed for these services.

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Docket No. 2010-220-C

IN RE:

Application of Global Connection Inc. of America)
For a Certificate of Public Convenience and Necessity)
to Provide Resold Long Distance Telecommunications)
Services and for Alternative Regulation of Long)
Distance Service Offerings)

EXHIBIT 2

VERIFIED TESTIMONY OF

MARK ELLIS

ON BEHALF OF

GLOBAL CONNECTION INC. OF AMERICA

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BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2010-220-C

APPLICATION OF GLOBAL CONNECTION INC. OF)
AMERICA FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO PROVIDE)
RESOLD LONG DISTANCE TELECOMMUNICATIONS)
SERVICES AND FOR ALTERNATIVE REGULATION OF)
ITS LONG DISTANCE SERVICE OFFERINGS)

Global Connection Inc. of America

Testimony of

Mark Ellis

1 **Q. Will you please state your name and business address.**

2 A. My name is Mark Ellis. My business address is 5555 Oakbrook Parkway, Suite 620, Norcross,
3 Georgia 30093.

4 **Q. By whom are you employed and in what capacity?**

5 A. I am the Chief Executive of Global Connection Inc. of America ("Global"), responsible for all aspects
6 of the company's operations and activities.

7 **Q. Please give a brief description of your background and experience.**

8 A. I have a Bachelor of Science in Business Degree from the University of Minnesota and I have a
9 Masters of Business Administration from Wharton, University of Pennsylvania. In my 32 year
10 business career I have been the CEO or president of six different organizations, most of which were
11 turnaround situations.

12 **Q. What is the purpose of your testimony?**

13 A. The purpose of my testimony is to demonstrate that Global is technically, financially, and managerially
14 capable of providing long distance telecommunications services in South Carolina.

15 **Q. Has Global registered to do business in South Carolina?**

16 A. Yes. Global has obtained authorization from the South Carolina Secretary of State to do business in
17 South Carolina. A copy of the Secretary of State certificate is attached to the Company's application as
18 Exhibit A.

19 **Q. Describe Global's experience in the telecommunications business.**

20 Global is a competitive local exchange carrier ("CLEC") authorized to provide facilities-based and
21 resold local exchange access services in South Carolina pursuant to Order Nos. 2000-580 and 2002-
22 58. Global has authority to provide local and long distance authority in 30 other. The Company's
23 management team has strong managerial ability and experience in the telecommunications industry
24 that will allow it to be a successful long distance carrier within the state of South Carolina.

1 Q. **Please describe the services Global proposes to offer.**

2 A. Global will provide intrastate, interstate and international interexchange telecommunications services.

3 Service is provided twenty-four (24) hours per day, seven (7) days a week.

4 Q. **How will Global bill for its services?**

5 A. Calls will be billed directly by the Company. The Company's name will appear on the bill and the bill
6 will contain a toll free number for inquiries.

7 Q. **How are trouble reports or billing errors/complaints handled?**

8 A. Global utilizes a toll-free number 877-511-3009 for customer service. Once it initiates operations,
9 Global's toll free customer service telephone number will be available with live operator response
10 during the hours of 8:30AM EST to 10:00 PM EST M-F and 9:00 AM EST to 5:00 PM EST Sat

11 Q. **Describe the proposed Global South Carolina tariff.**

12 A. Global has included in Exhibit E an illustrative tariff, which contains the rules, regulations and rates
13 for its proposed interexchange services. We have agreed to make the tariff change to our proposed
14 interexchange services tariff requested by the Office of Regulatory Staff in its letter dated July 8,
15 2010.

16 Q. **Does Global provide operator services?**

17 A. Yes, only to its presubscribed customers.

18 Q. **Describe Global's financial ability to operate as a telecommunications provider.**

19 A. Global is financially able to provide service in South Carolina. The Company's financial information
20 is included as Exhibit C to its Application.

21 Applicant's South Carolina intrastate operating expenses will be incremental in nature.
22 Applicant already owns and/or operates all the necessary facilities to provide it's intrastate, interstate
23 and international interexchange services to it's customers in SC and will not incur additional debt to
24 operate in South Carolina.

1 Q. **Do you believe Global is capable of delivering its proposed services in South Carolina?**

2 A. Yes, in addition to having sufficient financial resources, the senior management team of Global has a
3 strong background in telecommunications as demonstrated in the resumes included as Exhibit D to
4 the Company's application.

5 Q. **Where in South Carolina does Global intend to offer its services and how will those services be**
6 **offered?**

7 A. Global proposes to offer intrastate, interstate and international interexchange telecommunications
8 service throughout the state.

9 Q. **Did Global request any waivers in its application?**

10 A. Yes. In Order No. 2000-580, the Commission granted Global Connection's request that it be
11 exempt from any record-keeping rules or regulations that might require a carrier to maintain its
12 financial records in conformance with the Uniform System of Accounts since the Company maintains
13 its books in accordance with Generally Accepted Accounting Principles ("GAAP"). Global
14 Connection requests that all waivers granted in prior Orders continue in regard to its long distance
15 certification.

16 Global Connection also requests a waiver of the requirement that it keep books and records
17 within the State of South Carolina pursuant to 26 S.C. Regs. 103-610. In the absence of such a waiver,
18 Applicant would have to assume additional expenses to maintain records and reports in an office in
19 South Carolina. Applicant will maintain the required records at its headquarters and will make them
20 available to the Commission and ORS upon request.

21 Finally, Global Connection requests a waiver of 26 S.C. Regs. 103-612.2.3, the requirement to
22 file operating maps with the Commission. Applicant intends to offer its long distance services
23 statewide. The waivers requested above have been granted under similar situations, and Applicant
24 requests that the Commission provide it similar treatment.

1 **Q. What Regulatory Treatment is Global seeking in this Application for its long distance business**
2 **services, consumer card services, private line services and operator assisted services offerings?**

3 **A.** Global requests that all of its service offerings be regulated pursuant to the procedures described and
4 set out in Docket No. 95-661-C and as modified by Order No. 2001-997-C in docket No. 2000-407-C.
5 It is Global's intent by this request to have its long distance services, consumer card services, any
6 future private line services, and operator assisted services regulated in the same manner as this
7 Commission has permitted for AT&T Communications of the Southern States. Specifically, Global
8 requests:

9 (a) removal of maximum rate tariff requirements for its services, consumer card, operator
10 service, and future private line, and customer network type offerings;

11 (b) that tariff filings for these uncapped offerings are presumed valid upon filing. If the
12 Commission institutes an investigation of a particular filing within seven days, the tariff
13 filing will be suspended until further order of the Commission; and

14 (c) any relaxation in the reporting requirements that may be adopted for AT&T shall apply to
15 Global also.

16 The Company understands that the alternative regulation orders were modified by Order No.
17 2001-997 so that rate caps for operator-assisted calls where a consumer uses a local exchange carrier's
18 calling card to complete calls from locations which have not selected that local exchange carrier as
19 their toll provider. The order imposed a maximum cap of \$1.75 for operator surcharges for such calls,
20 and a maximum cap of \$0.35 related to the flat per minute rate associated with these calls.

21 **Q. How will South Carolina consumers benefit from Global's services?**

22 **A.** Granting Global's application will introduce a telecommunications service provider committed to
23 providing high quality, innovative, and technologically advanced services that will further increase
24 telecommunications competition within the State of South Carolina. Global's service offerings will

1 increase consumer choice, improve the quality and efficiency in telecommunications services and will
2 likely lead to the reduction of consumer costs, as well as stimulate development of additional services
3 by providing competitive incentives to other providers. Thus, granting Global's application is in the
4 public interest.

5 **Q. Does this conclude your testimony?**

6 **A. Yes.**

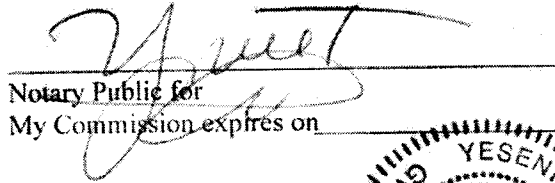
VERIFICATION

Mark Ellis, being first duly sworn, on oath, deposes and states that he is Chief Executive Officer of Global Connection and that he has read the above and foregoing testimony and knows the contents thereof, and that the same are true to the best of his knowledge, information and belief.



Mark Ellis
President and Chief Executive Officer
Global Connection Inc. of America

Subscribed and sworn to before me
this 28th day of July, 2010.



Notary Public for
My Commission expires on _____

